

**STATE OF ILLINOIS**

**ILLINOIS COMMERCE COMMISSION**

<b>Illinois Commerce Commission</b>	:	
<b>On Its Own Motion</b>	:	
<b>-vs-</b>	:	
<b>Alton P.H. Brewer</b>	:	<b>06-0618</b>
<b>d/b/a ALCAR Communication Services</b>	:	
	:	
<b>Citation for failure to file Annual Report.</b>	:	

**ADMINISTRATIVE LAW JUDGE'S PROPOSED ORDER**

By the Commission:

On September 13, 2006, the Illinois Commerce Commission ("Commission") entered an Order citing Alton P.H. Brewer d/b/a ALCAR Communication Services ("Respondent"), for failure to file its Annual Report. A Staff report dated August 29, 2006 recounts that Respondent failed to file its 2005 Annual Report by March 31, 2006, as required by Section 5-109 of the Public Utilities Act (220 ILCS 5/5-109) and 83 Ill. Adm. Code 210. The Order directed Respondent to appear at the offices of the Commission in Chicago, Illinois on January 22, 2007, to show cause why the Commission should not rescind its certificate or take other action.

This matter came on for hearing on January 22, 2007, before a duly authorized Administrative Law Judge of the Commission. Respondent failed to appear pursuant to notice. Counsel for Commission Staff appeared and recommended that Respondent's certificate be revoked for failure to file its 2005 Annual Report based on Respondent's failure to demonstrate sufficient managerial resources and abilities to provide intrastate telecommunications services. At the conclusion of the hearing, the record was marked "Heard and Taken".

On August 21, 2007 the Administrative Law Judge issued a Proposed Order in this matter. Neither Respondent nor Staff filed Exceptions.

The Commission, having reviewed the entire record herein, finds that the certificate granted to the Respondent should be cancelled and revoked because the Respondent does not possess the necessary managerial resources and abilities to provide intrastate telecommunications services in Illinois.

## Administrative Law Judge's Proposed Order

IT IS THEREFORE ORDERED by the Illinois Commerce Commission that the Certificate of Service Authority granted to Alton P.H. Brewer d/b/a ALCAR Communication Services is hereby cancelled and revoked.

IT IS FURTHER ORDERED that resolution of this citation proceeding does not relieve Respondent from the requirements of the Public Utilities Act to file annual reports or to pay any penalty for failure to do so.

IT IS FURTHER ORDERED that subject to the provisions of Section 10-113 of the Public Utilities Act and 83 Ill. Adm. Code 200.880, this Order is final; it is not subject to the Administrative Review Law.

DATED:	August 21, 2007
BRIEFS ON EXCEPTIONS DUE:	August 27, 2007
REPLY BRIEFS ON EXCEPTIONS DUE:	August 31, 2007

Katina S. Haloulos  
Administrative Law Judge